

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

LAVELL DOZIER,

Plaintiff,

-against-

9:12-CV-1002 (LEK/RFT)

NURSE BOYD, *et al.*,

Defendants.

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**ORDER**

This matter comes before the Court following a Report-Recommendation filed on February 11, 2014, by the Honorable Randolph F. Treece, U.S. Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3. Dkt. No. 26 (“Report-Recommendation”). Magistrate Judge Treece recommended that the Court grant Defendants Nurse Boyd and Department of Corrections and Community Supervision’s (collectively, “Defendants”) Motion to dismiss Plaintiff Lavell Dozier’s (“Plaintiff”) Complaint pursuant to Federal Rules of Civil Procedure 37(b) and 41(b) after Plaintiff failed to comply with a discovery scheduling Order and an Order instructing him to update his mailing address. See Dkt. Nos. 15; 22 (“Motion”); 24; Report-Rec.

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” FED. R. CIV. P. 72(b); L.R. 72.1(c). “If no objections are filed . . . reviewing courts should review a report and recommendation for clear error.” Edwards v. Fischer, 414 F. Supp. 2d 342, 346-47 (S.D.N.Y. 2006); see also Cephas v. Nash, 328 F.3d 98, 107 (2d Cir. 2003) (“As a rule, a party’s failure to object to any purported error or omission in a magistrate judge’s report waives further judicial review of the point.”); Farid v. Bouey, 554 F. Supp. 2d 301,

306 (N.D.N.Y. 2008).

No objections to the Report-Recommendation were filed within the allotted time period. See generally Docket. The Court has conducted a thorough review of the record and the Report-Recommendation and finds no clear error.

Accordingly, it is hereby:

**ORDERED**, that the Report-Recommendation (Dkt. No. 26) is **APPROVED** and **ADOPTED** in its entirety; and it is further

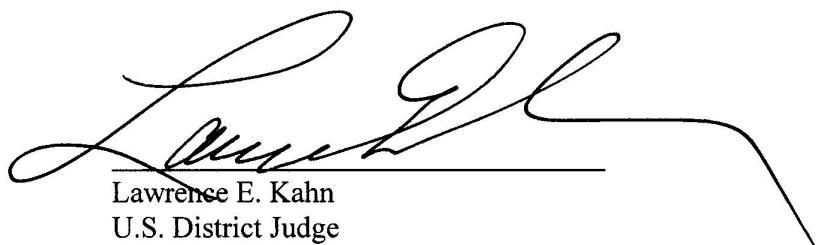
**ORDERED**, that Defendants' Motion (Dkt. No. 22) to dismiss pursuant to Federal Rules of Civil Procedure 37(b) and 41(b) is **GRANTED**. The Complaint (Dkt. No. 1) is **DISMISSED**; and it is further

**ORDERED**, that the Clerk close this case; and it is further

**ORDERED**, that the Clerk of the Court serve a copy of this Order on all parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

DATED: March 11, 2014  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge